

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

ALFREDO AVILES-TAVIRA,

Movant,

v.

CRIMINAL CASE NO.

1:12-cr-300-03-JEC-ECS

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION FILE NO.

1:13-cv-3985-JEC

ORDER

This case is before the Court on the Magistrate Judge's Final Report and Recommendation [114] recommending dismissing without prejudice movant's § 2255 Motion to Vacate Sentence [83]. No objections to the Report and Recommendation [114] have been filed. The Court has reviewed the Final Report and Recommendation [114] on the merits and finds the magistrate judge's conclusions to be well-founded.

It is hereby Ordered that the Court **ADOPTS** the Magistrate Judge's Final Report and Recommendation [114] **DISMISSING without prejudice** movant's § 2255 Motion to Vacate Sentence [83].

SO ORDERED, this 22nd day of July, 2014.

/s/ Julie E. Carnes

JULIE E. CARNES

CHIEF UNITED STATES DISTRICT JUDGE